

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NO LABELS,

Plaintiff,

v.

NOLABELS.COM INC.,

Defendant.

Case No. _____

**DECLARATION OF LESLIE E. HARTFORD IN SUPPORT OF
MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR
MOTION FOR PRELIMINARY INJUNCTION**

I, Leslie E. Hartford, declare that the following is true and correct to the best of my knowledge, information, and belief:

1. I am over the age of 18 and I make this affidavit based on personal knowledge.
2. I am an attorney with the law firm Nixon Peabody LLP, 53 State Street, Exchange Place, Boston, Massachusetts 02109, representing Plaintiff No Labels (“No Labels” or “Plaintiff”).
3. I make this declaration in support of Plaintiff’s Motion for Temporary Restraining Order and/or Motion for Preliminary Injunction based on my information, knowledge and belief and the records in this matter.
4. After No Labels learned of the www.nolabels.com website (the “Infringing Website”) and the <nolabels.com> domain (the “Infringing Domain”), No Labels, through counsel, utilized the WHOIS search function to investigate the registrar and registrant affiliated with the Infringing Domain and then attempted to contact these parties to resolve this dispute.
5. First, on November 28, 2023, I sent a demand letter to GoDaddy LLC (“GoDaddy”), the listed registrar for the Infringing Domain, via email and FedEx, describing the

infringement, demanding that actions be immediately taken to cause such infringement to cease, and requesting a response by November 30, 2023. No response was received.

6. That same day, I also attempted to call GoDaddy several times using the listed GoDaddy abuse reporting hotline and was unsuccessful in ever reaching a GoDaddy representative. More specifically, each time I called that number the call was disconnected before I was able to speak to a GoDaddy representative.

7. Also on November 28, 2023, I sent a demand letter to Domains by Proxy, LLC, the listed registrant for the Infringing Domain, via FedEx, describing the infringement, demanding that actions be immediately taken to cause such infringement to cease, and requesting a response by November 30, 2023. No response was received.

8. Because there was no listed email address for registrant Domains by Proxy, LLC, that same day I utilized the “Contact Domain Holder” link provided by GoDaddy to attempt to contact the domain holder. No response was received.

9. On November 30, 2023, I sent a courtesy copy of the November 28 letter addressed to Domains by Proxy, LLC to The Corporation Trust Company, the Registered Agent for Defendant NoLabels.com Inc. (“Defendant”). No response was received.

10. I am not aware of any other counsel nor agents for the Defendant.

11. Simultaneously with filing this Motion, Plaintiff will serve a copy of all filed papers with The Corporation Trust Company, the Registered Agent for Defendant, in accordance with the Federal Rules of Civil Procedure. Plaintiff will also serve a courtesy copy of all filed papers upon Domains by Proxy, LLC as the registrant for the Infringing Domain. Finally, Plaintiff will send a courtesy copy of all filed papers to contact@nolabels.com, the only listed contact information on the Infringing Website.

12. I declare under penalty of perjury that the foregoing is true and correct. Executed on the 4th day of December, 2023.

/s/ Leslie E. Hartford
Leslie E. Hartford, Esq.
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